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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,544	04/13/2001	Bruno Million-Rousseau	0110251	9172

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EXAMINER

MILORD, MARCEAU

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/807,544	Applicant(s) MILLION-ROUSSEAU ET AL.	
	Examiner Marceau Milord	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vazvan (WO- 9613814) in view of Jonstromer (US Patent No 6142369).

Regarding claims 11-13, Vazvan discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), the device comprising means for reading the payment means connected to a central processing unit and means for dialing telephone numbers associated with a modem for establishing a telephone link with the server center (page 2, lines 24-30), in which the means for dialing telephone numbers and the associated modem consist of elements of wireless telephony circuits (pages 5-6).

However, Vazvan does not specifically disclose the features of a second means for dialing telephone numbers and a second modem associated with these means, consisting of

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elements of wired telephony circuits, and a switching facility for selectively placing the central unit in communication with the first or second means for dialing telephone numbers.

On the other hand, Jonstromer, from the same field of endeavor, discloses an electronic transaction system for conducting electronic financial transactions including a smart card configured to store a plurality of payer electronic credits and a communication module configured to transmit the electronic credits from the smart card to a party selected from a plurality of addressable parties accessible through a Public Switched Telephone Network. The smart card having a storage device configured to store the electronic credits and a computational device configured to debit or credits the electronic credits. The communications module including an actuation device configured to generate a signal for transmitting the electronic credits to the party, a routing device configured to produce an address of the party, a video display unit configured to display credit transfer data, and a keypad configured to enter details of an electronic transfer (col. 1, line 50- col. 2, line 13; col. 3, lines 10-32). Furthermore, Jonstromer shows in figure 4, a telephone that comprises a smart card reader connected directly to the PSTN 16. The SIM contains subscriber specific information, such as the subscriber's telephone account identification and the premium services which the subscriber is entitled to access (col. 5, lines 1-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Jonstromer to the communication system of Vazvan in order to establish a safe and simple charge payment method in the mail-order via telephone lines.

Regarding claim 14, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a

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banking organization (page 2, lines 8-21), comprising a first means for dialing telephone numbers and the associated modem are disposed in a box separate from the remainder of the device and in that the box comprises, connected at the input of these latter, a circuit for emulating a switched telephone network associated with means for detecting telephone numbers dialed by said second means for dialing and means for matching the speeds of transmission of the data transmitted between the first and second means for dialing telephone numbers (page 5, lines 7-27; page 7, lines 7-21).

Regarding claim 15, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), comprising a matching means consist of means of temporary storage of the data (page 6).

Regarding claims 16-17, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), comprising an emulating circuit that is connected to the second means for dialing telephone numbers by a wireless link, in particular an infrared link of the IrDA type (page 7).

Regarding claim 18, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), comprising a first means for dialing telephone numbers are connected to a wireless telephone set (page 7).

Regarding claim 19, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a

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banking organization (page 2, lines 8-21), comprising a first means for dialing telephone numbers are connected to the telephone set by a wireless link, in particular an infrared link of the IrDA type (pages 6-7).

Regarding claim 20, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), comprising an electronic payment terminal (page 6).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Katz et al discloses a method and system for transferring telecommunication-time units with a pre-purchased amount for making telephone calls and for use other than making telephone calls.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MAARCEAU MILORD

Marceau Milord

Primary Examiner

Art Unit 2618


MARCEAU MILORD
PRIMARY EXAMINER

9-13-06